

FEEDS AND GRAINS

25590. Alfalfa meal. (F.D.C. No. 42156. S. Nos. 17-551/3 M, 63-428 M, 72-039/41 M, 422 P, 11-381 P.)

INFORMATION FILED: 9-26-58, N. Dist. Ohio, against Toledo Alfalfa Mills, a partnership, East Toledo, Ohio, Cummings Schooler Co., a partnership, Toledo, Ohio, and Rolland Turnow, partner in Toledo Alfalfa Mills.

SHIPPED: Between 7-8-57 and 1-7-58, nine shipments from Ohio to Maryland and Indiana.

LABEL IN PART: (Bag) "VIT-A-GREEN Supreme 17/27 Leafy Irish Brand Pure Dehydrated Alfalfa Meal * * * 50 Lbs. Net Analysis Crude Protein, not less than 17.00% Crude Fat, not less than 1.75% Crude Fiber, not more than 27.00%"; or "VIT-A-GREEN Supreme 17/27 Leafy Irish Brand 1% Animal Fat Added * * * Analysis Crude Protein, not less than 17.00% Crude Fat, not less than 1.75% Crude Fiber, not more than 27.00% 50 Lbs."; or "17/27 * * * Alfalfa Meal Shamrock Brand 50 Lbs. Net. Analysis Crude Protein, not less than 17.00% Crude Fat, not less than 1.75% Crude Fibre, not more than 27.00%"; or "Shamrock Brand Blended Dehydrated and Sun-cured Alfalfa Meal 1% Animal Fat Added * * * Analysis Crude Protein, not less than — 17.00% Crude Fat, not less than — 1.75% Crude Fibre, not more than — 27.00% 50 Lbs. Net. Alfalfa Meal"; or "Vit-A-Green Supreme 17/27 Leafy Irish Brand Dehydrated Alfalfa Meal 1% Animal Fat."

CHARGE: 402(a) (2)—the article, when shipped, contained an added deleterious substance, mineral oil, which is unsafe within the meaning of 406(a) since it is a substance not required in the production of alfalfa meal and can be avoided by good manufacturing practices; 402(b) (1)—a valuable constituent of the article, namely, protein, had been in part omitted from some shipments; and 402(b) (4)—fibre had been added to some shipments of the article and mixed and packed therewith so as to increase its bulk and weight and reduce its quality.

PLEA: Toledo Alfalfa Mills and Rolland Turnow—guilty to all 9 counts of the information; Cummings Schooler Co.—nolo contendere to the 4 counts in which it was joined as a defendant.

DISPOSITION: 10-17-58. Toledo Alfalfa Mills—\$1,800 fine; Cummings Schooler Co.—\$500 fine on 4 counts; and Rolland Turnow—sentence deferred and placed on probation for 3 years.

25591. Ground grain screenings. (F.D.C. No. 41987. S. No. 46 P.)

QUANTITY: 240 unlabeled 100-lb. bags at Somerset, Ky.

SHIPPED: 6-30-58, from Kansas City, Mo., by Earl A. Hogan Co.

RESULTS OF INVESTIGATION: The article was invoiced as "ground grain screenings." Examination showed that the article consisted of ground fibrous plant material (chaff with some stem), with some starch grains but no kernels.

LIBELED: 8-18-58, E. Dist. Ky.

CHARGE: 402(b) (2)—when shipped, a mixture of ground plant material, chaff and stems, and some starch grains had been substituted in part for grain screenings; 403(e) (1)—the label of the article failed to bear the name and place of business of the manufacturer, packer, or distributor; 403(e) (2)—the label of the article failed to bear an accurate statement of the quantity of contents; 403(i)—the article failed to bear a label containing the common or usual name of the article, and a designation of ingredients.